

# In the Supreme Court of the State of Alaska

**Laurel Lee,**

Petitioner,

v.

**State of Alaska,**

Respondent.

Supreme Court No. **S-18277**

## **Order**

Petition for Hearing

Date of Order: **8/10/2022**

Court of Appeals No. **A-12797**  
Trial Court Case No. **3KN-14-01547CR**

Before: Winfree, Chief Justice, Maassen, Carney, Borghesan, and  
Henderson, Justices  
Carney, Justice, dissenting.

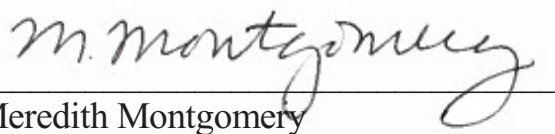
On consideration of the Petition for Hearing filed on **1/25/2022**, and the  
response filed on **2/23/2022**,

### **IT IS ORDERED:**

The Petition for Hearing is **DENIED**.

Entered at the direction of the court.

Clerk of the Appellate Courts

  
Meredith Montgomery

CARNEY, Justice, dissenting.

I would grant Lee's petition on the issue of whether the State's consumption of all six of the evidentiary swabs violated her right to due process under the Alaska Constitution. I believe she has raised important questions about the reasonableness of the State's action particularly in light of the fact that the State failed

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to comply with the ABA Standards for Criminal Justice which direct it to “provide a defendant notice and an opportunity to object before consuming *either* ‘DNA evidence or the extract from it.’”<sup>1</sup>

cc: Court of Appeals Judges  
Trial Court Clerk

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<sup>1</sup> *Lee v. State*, 503 P.3d 811, 821 (Alaska App. 2021).